In re Patent Application of: Andrew Robert CLARK
Application No.: 10/537,933
Office Action mailed on March 30, 2010

Examiner: FURGUSON, Keith
Confirmation No.: 8660
Art Unit: 2618

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## AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all previous listings of claims in this application.

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Claims 1-30 (Cancelled).

31. (Previously Presented) A data communications connection method for the Transmission Control Protocol (TCP) comprising the steps of:

10    prior to the transmission of a SYN handshake packet to initiate a 3-way handshake for a TCP/IP connection, an initiating party computer system sending a connection request message to a receiving party computer system;

receiving the connection request message at the receiving party computer system;

transmitting the SYN handshake packet to initiate a 3-way handshake for a TCP/IP

15    connection from the initiating party computer to the receiving party computer;

opening, upon receipt of the connection request message and the handshake packet, a TCP connection at the receiving party computer system for the initiating party computer system; and

communicating between the initiating and receiving party computer systems using TCP

20    communication packets.

32. (Previously Presented) A data communications connection method according to claim 31, wherein the connection request message includes data on the connection requested.

25    33. (Previously Presented) A data communications connection method according to claim 31, wherein the connection request message includes information on the initiating party computer system.

34. (Previously Presented) A data communications connection method according to claim 31,

30    further comprising:

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evaluating the connection request message at the receiving party computer system prior to

opening the TCP connection.

35. (Previously Presented) A data communications connection method according to claim 34,

5   wherein evaluating the connection request message includes authenticating data within the

connection request message.

36. (Previously Presented) A data communications connection method according to claim 34,

wherein evaluating the connection request message includes authenticating the initiating party

10  computer system.

37. (Previously Presented) A data communications connection method according to claim 34,

further comprising negotiating an encryption key during evaluation.

15  Claim 38 – 43 (Cancelled).

44. (Previously Presented) A communication connection system adapted to communicate under

the Transmission Control Protocol (TCP), comprising:

        an initiating device adapted to send a connection request message prior to the

20  transmission of a SYN handshake packet to initiate a 3-way handshake for a TCP/IP connection

and the subsequent transmission of the SYN handshake packet for the TCP/IP connection; and

        a receiving device adapted to receive the connection request message and subsequent

SYN handshake packet, open the TCP connection at the receiving device for the initiating

device, upon receipt of the connection request message and the subsequent SYN handshake

25  packet, and communicate with the initiating device using TCP communication packets.

45. (Previously Presented) The communication connection system of claim 44, wherein the

connection request message includes information on the initiating device.

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46. (Previously Presented) The communication connection system of claim 44, wherein the receiving device is further adapted to evaluate the connection request message prior to opening the TCP connection at the receiving device for the initiating device.

5    47. (Previously Presented) The communication system of claim 46, wherein evaluating the connection request message includes authenticating data within the connection request message.

48. (Previously Presented) The communication connection system of claim 46, wherein evaluating the connection request message includes authenticating the initiating device.

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49. (Previously Presented) The communication connection system of claim 46, wherein the receiving device is further adapted to negotiate an encryption key with the initiating device.

50. (Currently Amended) A communication connection system adapted to communicate under a

15   Transmission Control Protocol (TCP), comprising:

   an initiating device adapted to send a connection request message prior to the transmission of a SYN handshake packet to initiate a 3-way handshake for a TCP/IP connection, the connection request message ~~comprising~~ being an IP datagram;

   a receiving device adapted to receive the connection request message, open the TCP

20   connection at the receiving device for the initiating device upon receipt of the connection request message, and communicate with the initiating device using TCP communication packets.

51. (Previously Presented) The communication connection system of claim 50, wherein the connection request message includes information on the initiating device.

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52. (Previously Presented) The communication connection system of claim 50, wherein the receiving device is further adapted to evaluate the connection request message prior to opening the TCP connection at the receiving device for the initiating device.

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53. (Previously Presented) The communication connection system of claim 52, wherein evaluating the connection request message includes authenticating data within the connection request message.

5    54. (Previously Presented) The communication connection system of claim 52, wherein evaluating the connection request message includes authenticating the initiating device.

55. (Previously Presented) The communication connection system of claim 52, wherein the receiving device is further adapted to negotiate an encryption key with the initiating device.

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56. (Currently Amended) The data communications connection method according to claim 31, wherein the request message is an IP datagram and wherein the step of opening the TCP connection requires negotiation of the connection request using the IP datagram before accepting any TCP connection request.

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57. (Currently Amended) The communication connection system of claim 44, wherein the request message is an IP datagram and wherein the receiving device is further adapted to not accept a TCP connection request unless a connection has already been negotiating using the IP datagram.

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58. (Previously Presented) The data communications connection method according to claim 31, wherein the opening step is performed only upon receipt of the connection request message and the subsequent handshake packet.

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59. (Previously Presented) The data communications connection method according to claim 58, wherein the request message is an IP datagram.

60. (Previously Presented) The communication connection system of claim 44, wherein the receiving device is adapted to open the TCP/IP connection only upon receipt of the connection request message and the subsequent handshake packet.

61. (Currently Amended) The communication connection system of claim 50, wherein the receiving device is adapted to open the TCP/IP connection only upon receipt of the connection request message and only after negotiation of the connection request using the IP datagram.